

Morpho/9

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL METHOD AND PHAGE FOR THE IDENTIFICATION OF  
NUCLEIC ACID SEQUENCES ENCODING MEMBERS OF A  
MULTIMERIC (POLY) PEPTIDE COMPLEX

the specification of which

(check [X] is attached hereto  
one)

[ ] was filed previously.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's

certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>
<u>EP 97 11 3319.4</u> (Number)	<u>Europe</u> (Country)	<u>August 1, 1997</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> [ ] Yes No
			[ ] [ ] Yes No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/EP98/04836</u> (Application Serial No.)	<u>August 3, 1998</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned)
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<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status: patented, pending, abandoned)</u>
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As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

<u>James F. Haley, Jr., (Req. No. 27,794)</u>
<u>Margaret A. Pierri, (Req. No. 30,709)</u>
<u>Scott D. Miller, (Req. No. 43,803)</u>

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James F. Haley, Jr.

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New York, New York 10020-1104

Direct telephone calls to:

James F. Haley, Jr.

(212) 596-9000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Rudert, Fritz

First Inventor's signature Fritz Rudert Date 28.01.2000

Residence Germany

Citizenship GERMAN

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Full name of second joint inventor Ge, Liming

Second Inventor's signature L.L. Date 29.01.2000

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Full name of third joint inventor Ilag, Vic

Second Inventor's signature Dick Ilag Date 28 JAN 2000

Residence Germany

Citizenship PHILIPPINES

Post Office Address Knorrstr. 85, 89897 Munich, Germany

**Old Attorney Docket No. MORPHO/9  
New Attorney Docket No. 37629-0047**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of **Fritz Rudert et al.**

Serial No.: 09/495,880

Examiner: P. Ponnaluri

Filed: 02/01/2000

Group Art Unit: 1627

For: Novel method and phage for the identification of nucleic acid sequences encoding members of a multimeric (poly)peptide complex

**REVOCATION AND APPOINTMENT OF NEW ATTORNEY  
AND CHANGE OF ADDRESS**

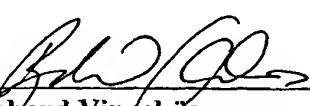
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Assignee of record of the entire interest hereby revokes all previous powers of attorney and appoints the registered practitioners at CUSTOMER No. 26633 at the law firm of HELLER EHRLMAN WHITE & McAULIFFE LLP, 1666 K Street, N.W., Suite 300, Washington, D.C. 20006, to transact all business in the Patent and Trademark Office in connection with the above-captioned application. Please direct all written communications to Colin G. Sandercock, at the above-mentioned address, and direct all telephone communications to (202) 912-2000.

Respectfully submitted,

By: B.V.

  
**Dr. Bernhard Virnekas**  
Senior Director Intellectual Property

By: T.A. H

  
**Dr. Tanja Heuser**  
IP specialist

Date: 07/09/02

Date: 07/09/02

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Fritz Rudert et al.

Application No./Patent No.: 09/495,880 Filed/Issue Date: 02/01/2000Entitled: Novel method and phage for the identification of nucleic acid sequences encoding members of a multimeric (poly)peptide complexMorphoSys AG a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.



Signature

Dr. Bernhard Virnekäs



Signature

Dr. Tanja Heuser

Typed or printed name Senior Director Intellectual Property	Date 07/09/02	Typed or printed name IP specialist
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Title

Title